

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

KRAFT FOODS GLOBAL, INC., THE)	
KELLOGG COMPANY, GENERAL)	
MILLS, INC., and NESTLÉ USA, INC.,)	
)	
Plaintiffs,)	No. 1:11-cv-08808
)	
v.)	Judge Charles R. Norgle
)	
UNITED EGG PRODUCERS, INC.,)	
UNITED STATES EGG MARKETERS,)	
INC., CAL-MAINE FOODS, INC.,)	
MICHAEL FOODS INC., and ROSE ACRE)	
F FARMS, INC.)	
)	
Defendants.)	

PLAINTIFFS' OMNIBUS MOTION TO FILE UNDER SEAL

Plaintiffs respectfully move the Court for leave to file the following filings under seal pursuant to Federal Rule of Civil Procedure 26(c) and Local Rule 26.2: (1) Redacted Plaintiffs' Response to Defendants' Motion *in Limine* to Exclude Certain Evidence Predating the Alleged Conspiracy, and exhibits 1–3 filed under seal (Dkts. 200-01); (2) Redacted Plaintiffs' Response to Defendants' Motion *in Limine* to Exclude Prior Complaints, Investigations, and Settlements, and exhibits 1, 3, and 4 filed under seal (Dkts. 202, 204); (3) Redacted Plaintiffs' Response to Defendants' Motion *in Limine* to Exclude Certain Videos and Photographs, and exhibit 1 filed under seal (Dkts. 205-06); (4) Plaintiffs' Response to Defendants' Motion *in Limine* to Preclude Plaintiffs From Introducing Evidence Regarding the Alleged Conspirators' Egg Exports and exhibits thereto, filed under seal (Dkt. 207); and (5) Plaintiffs' Response to Defendants' Motion *in Limine* to Preclude Plaintiffs' Expert From Offering Factual Narrative Testimony and exhibits thereto, filed under seal (Dkt. 208). In support of this motion, Plaintiffs state as follows:

1. The above-listed filings contain references to material which Defendants and non-parties have designated as confidential. Accordingly, under the Protective Order in this Case, Case Management Order No. 10 (Protective Order), and pursuant to Local Rule 26.2(c), Plaintiffs have provisionally filed the above listed filings under seal.

2. As the Seventh Circuit has recognized, a Court may keep documents or portions thereof under seal if “there is good cause for sealing a part or the whole of the record.” *Citizens First Nat'l Bank of Princeton v. Cincinnati Ins. Co.*, 178 F.3d 943, 945 (7th Cir. 1999); *see also* Local Rule 26.2(b) (applying “good cause” standard). Accordingly, the Court may seal filings if there are “legitimate concerns of confidentiality,” *Grove Fresh Dist., Inc. v. Everfresh Juice Co.*, 24 F.3d 893, 898 (7th Cir. 1994), such as where the information in question “meet[s] the definition of trade secrets or other categories of bona fide long-term confidentiality,” *Baxter Intern., Inc. v. Abbott Labs.*, 297 F.3d 544, 545 (7th Cir. 2002).

3. Here, Defendants and non-parties have designated information contained in the above listed filings as confidential. Under the Protective Order, Plaintiffs are required to file these materials under seal in any court filing. This presents a legitimate concern of confidentiality and gives good cause to file under seal.

WHEREFORE, Plaintiffs respectfully request the Court enter an order granting it leave to file the above listed filings under seal.

September 16, 2022

Respectfully submitted,

*Counsel for Plaintiffs Kraft Foods Global, Inc.,
General Mills, Inc., Nestlè USA, Inc. and The
Kellogg Company*

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CERTIFICATE OF SERVICE

I hereby certify that on September 16, 2022, I electronically filed the foregoing document, and all filings listed in this document, with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all CM/ECF participants registered to receive service in this action. I further certify that I caused the foregoing document, and all filings listed in this document, to be served via electronic mail on counsel for all parties.

/s/ Brandon D. Fox
Brandon D. Fox